

Applicant: Stewart, Christopher
Serial No.: 10/723,617
Page 5

REMARKS

Claims 1-6 are now pending in this application. Claims 1, 2, 4 and 6 have been amended. Applicant respectfully submits no new matter has been added. Reconsideration is respectfully requested in view of the following remarks.

§ 112 Rejection

Claims 1 and 6 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that claims 1 and 6 contain subject matter not described in the specification in such a way as to reasonably convey to the one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The Office Action further states that the features "a first lateral wall and a second lateral wall" are not described by the specification.

Claims 1 and 6 were amended to include further features that more clearly distinguish the present invention over prior art, namely the inclusion of first lateral wall and second lateral wall of that surround the open receptacle. In addition to amending claims 1 and 6 in the March 15, 2005 amendment, Applicant submitted amendments to the drawings and specification. The amendment to the drawings included the insertion of reference numbers 11a, 11b, 11c and 11d. Applicant's amendments to the specification included the description of the subject matter associated with the inserted reference numbers. The amendment to both the drawings and the specification were admitted without objection. The amendments to claims 1 and 6, "a first lateral wall and a second lateral wall," is the substance of the amended portions of the specification now clearly described in the text of the specification per the amendment. Furthermore, the original drawings themselves disclose the walls as now recited in claims 1 and 6 and the specification. Applicant merely added the reference numbers and description to clearly support the amended

Applicant: Stewart, Christopher
Serial No.: 10/723,617
Page 6

features of the "first lateral wall and second lateral wall." Applicant respectfully submits that the drawings, in fact, disclose the "first lateral wall and second lateral wall." Accordingly, whatever the original drawings disclosed may be added to the specification in words without violating the statutory prohibitions against new matter. See, In re Wolfensperger, 302 F.2d 950, 133 U.S.P.Q. 537, 542 (C.C.P.A. 1962). The original drawings contain the necessary disclosure and can form the basis of any valid claim, therefore, the amendment to claims 1 and 6 are validly supported by the original drawings themselves. Applicant respectfully requests withdrawal of this rejection based on the foregoing.

§ 102 Rejection based on Takahashi

Claims 1 through 6 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,091,618 to Takahashi (Takahashi reference). The Examiner states that the Takahashi reference discloses each of the elements of claims 1 through 6 of the present invention. Specifically, the Office Action states that Takahashi discloses the smart card reader that includes an open receptacle, at least one placement tab where the placement tabs extend from the first lateral wall, the second lateral wall and the longitudinal wall into the receptacle, and a plurality of contacts residing within the receptacle where the plurality of contacts connects to a smart chip. The Takahashi reference relates to the IC card reader/writer into which an IC card can be inserted having connection reliability of contact points thereof.

Within the Office Action, the Examiner equates certain elements of amended claim 1 as being disclosed in the Takahashi reference. The Examiner specifically states that the longitudinal wall as recited in claim 1 equates to arm 5 mounted on a stationary base 6 disclosed within Takahashi. The arm 5 of Takahashi is connected to a contact spring frame 2 where the arm 5 rotates around a securing pin 4 as a pivot. Although the arm 5 operates as a stopper for

Applicant: Stewart, Christopher
Serial No.: 10/723,617
Page 7

contacting with a leading edge of an IC card 7 in Takahashi, arm 5 simply does not equate to the longitudinal wall as recited in claim 1. Note claim 1 has been further amended to include a longitudinal wall where the longitudinal wall extends across the entire length of one side of the smart card. Quite clearly, arm 5 of Takahashi does not extend across the entire length of any side of the IC card shown in the figures or as described in the specification of the Takahashi reference. Arm 5 of Takahashi merely serves as a stopper of the IC card and pivots the spring frame 2 into contact with an IC card that inserts into the reader.

The Office Action further states that protrusion 3b of Takahashi equates to at least one placement tab as recited in claim 1. The protrusion 3b again relates to the contact spring frame where protrusion b is at the contact spring frame end 3 and provides a detecting means for the rotation of the contact spring frame 2 onto the IC card. Note this protrusion 3b does not extend from any lateral wall or longitudinal wall as recited in claim 1. Claim 1 clearly recites where the at least one placement tab extends from the first lateral wall, the second wall and the longitudinal wall into the receptacle. Protrusion 3b fails to extend from any wall disclosed or described in Takahashi and is merely a protrusion off of the spring frame. Accordingly, Applicant respectfully submits that protrusion 3b does not equate to at least one placement tab as recited in claim 1.

Based on the foregoing, Takahashi fails to disclose or describe each and every element of claim 1. Independent claims 4 and 6 recite similar limitations in regard to the lateral wall and longitudinal wall, as recited in claim 1. Accordingly, based on the foregoing, Takahashi fails to disclose each and every element of claims 1, 4 and 6 of the present invention and, therefore, Applicant respectfully submits that Takahashi does not anticipate claims 1, 4 and 6. Claims 2, 3 and 5 depend from claims 1, 4 and 6, therefore Takahashi does not anticipate claims 2, 3 and 5 for at least the same reasons as stated above in regard to claims 1, 4 and 6. Withdrawal of this

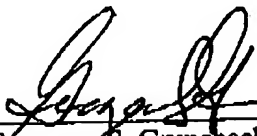
Applicant: Stewart, Christopher
Serial No.: 10/723,617
Page 8

rejection is therefore respectfully requested and prompt allowance is requested.

CONCLUSION

Based upon the foregoing amendment and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Prompt allowance of all pending claims is therefore requested.

Respectfully submitted,



Georgann S. Grunebach
Reg. No. 33,179
Attorney for Applicants

The DIRECTV Group, Inc.
RE/R11/A109
2250 E. Imperial Highway
P. O. Box 956
El Segundo CA 90245

(310) 964-4615

July 15, 2005